

June 26, 2006  
Seven o'clock P.M.  
North Little Rock City Hall Council Chambers  
300 Main Street  
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (8/0). City Clerk Diane Whitbey and City Attorney Paul Suskie were also present.

The invocation was given by Alderman Thomas, followed by the pledge of allegiance to the flag which was led by Alderwoman Robinson.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes of a regular council meeting held on Monday, June 12, 2006, were approved, accepted and filed as prepared by the City Clerk (8/0).

On the blanket motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, communications # 1, 2, 3, and 4 were accepted and filed (8/0).

1. Jim Harvey, CEO Central Arkansas Water letter to Mayor and City Council re: on-payment option for utility customers and \$3.95 fee to third-party vendor providing service. No change for bank draft.
2. Sharon Tedford, Mayor's Office memorandum re: application to transfer location of retail liquor and beer permit from 2903 East Broadway to 3005 East Broadway, Broadway Liquor, by Charles Hutchinson; and, application for change of manager for restaurant mixed drink and Sunday beverage permit for Roadhouse Grill, 3500 Landers Road by Thomas E. Pugh.
3. Sharon Tedford, Mayor's Office memorandum re: application for new restaurant wine and beer on premises permit for Argenta Coffee Co., LLC, 318 Main Street by Jeri G. Warlick.
4. Sharon Tedford, Mayor's Office memorandum re: application for new restaurant wine and retail beer on premises permit for North China Delight, Inc., 7111 John F. Kennedy Boulevard, by Su Long Cheng; and, application for replacement mixed drink permit for Crazy Habachi Company, 2907 Lakewood Village Drive by Hyung Gil Chung.

On the motion of Alderman Bryant and seconded by Alderman Witcher, and by consent of all members present, communication #5 was read, accepted and filed (with conditions/guidelines) (8/0).

5. Bruce Hanford, Regional Manager AARCHER, Inc. (Keller, Texas) letter to Mayor Hays re: Governmental Notice of Proposed Antennae Mounting at 201 East C Avenue, North Little Rock.

Alderman Bryant asked Mr. Robert Voyles, Planning Director to talk to Verizon regarding previously installed towers, especially the one at Ridge Road Middle School and lack of fulfilling obligations. Mr. Voyles advised it was the subcontractor. Alderman Hight has received calls regarding the cell towers. He drove by the tower on Saturday and it doesn't look like the conditions of the legislation have been fulfilled. Mr. Voyles said gravel is being removed and replaced. The stealth pole was approved. Alderman Gipson said he would vote to block any license issued to Verizon regarding cell towers until the obligations have been fulfilled. Alderwoman Robinson asked what the time frame was to complete requirements. Mr. Suskie advised the Special Use permits can be revoked. Alderman Gipson said one of the requirements is to control silt run-off from the site. Mayor Hays asked Mr. Suskie to prepare separate legislation regarding existing towers which have not complied with the requirements of the City Council.

Mayor Hays asked Ms. Nan Plummer, Director of the Arkansas Arts Center to come forward. Ms. Plummer thanked Mayor Hays and the council for their continued support of the Arts Center. She discussed the museum school and a recent exhibit from children ages 6 to 9 and encouraged everyone to visit the center.

Mayor Hays asked Mr. Harvey, CEO Central Arkansas Water to come forward. Mr. Harvey provided a power point presentation regarding an update on water supply, operations and system improvements and future sources. Lake levels, raw water supplied, consumption (gallons), yield, treatment capacity and 2006 system operations were discussed. Capital improvements from 2001 - 2007, and water rates were reviewed. January 1, 2002, the amount charged (per 6,244 gallons used monthly) was \$14.17. January 1, 2006, through 2008, the amount is listed at \$13.59. If North Little Rock had not joined the merger, the rate for January 1, 2002 would have been \$15.88 (per 6,244 gallons used monthly). Central Arkansas Water provides assistance through a Customer Assistance Fund. Customers having received assistance north of the river from September 2004 - May 2006 were 366, with an average of \$111.59 each. Quality is important. This is the 32<sup>nd</sup> straight year of full compliance with federal and state standards, with water quality better than required by those same standards. The total population served in this area for 2006 is 388,000. The top 10 retail water users included 3 from North Little Rock, Chicopee/Polymer Group, Inc., State of Arkansas Military Department/Camp Robinson and Tyson Foods. Mr. Steve Morgan presented a video regarding future water needs for the area and possible ways to meet those needs including drawing water from area lakes. Mr. Morgan is the President of the Mid Arkansas Water Alliance. Alderman Thomas asked if Central Arkansas Water was working with Grand Prairie.

Mayor Hays discussed a delay in construction by the Arkansas State Highway Department in the area of East Broadway. Water utility lines have to be relocated.

Mayor Hays convened a public hearing at 8:00 p.m. re: O-06-59, an ordinance amending Sections of Chapter 74 of the North Little Rock Municipal Code relating to solicitations on or near public streets. Ms. Patricia Harris volunteers at the Main

Street Police Substation. She has been approached several times recently by solicitors on Broadway. A man approached her vehicle and tapped on the window. She told him he shouldn't

be in the street as it was dangerous. On a different day, another man approached her vehicle, at which time she asked if he had a permit to solicit in the street. He pointed to a lady and said she had it. Mrs. Harris said this is dangerous and insurance is high enough without having to be concerned with people soliciting in the street. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing at 8:09 p.m., and the legislation was called without objection.

O-06-59 (ORDINANCE NO. 7835 - ALDERMEN HIGHT, BRYANT, BERRY, PARKER AND WITCHER)

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 74 OF THE NORTH LITTLE ROCK MUNICIPAL CODE (NLRMC) RELATING TO SOLICITATIONS ON OR NEAR PUBLIC STREETS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on June 12, 2006, and a public hearing was held this date, was read a second time. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. A motion to adopt was made by Alderman Hight and seconded Alderman Witcher. On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the ordinance was amended as follows:: *substitute copy provided this date which bans solicitations on public streets* (8/0). Discussion followed on when the ordinance could be enforced. Mr. Suskie advised it would have to be published in *The Times* first. Ms. Whitbey will get it published this week. Alderman Gipson said there was a provision in the Municipal Code before it was revised regarding solicitations. On the motion of Alderman Gipson and seconded by Alderman Witcher/Berry, and by consent of all members present, the ordinance was again amended as follows:: *Section 5, insert JULY 1, 2006, AT 12:01 A.M. following the word revoked and delete remainder of paragraph ...on the thirtieth (30<sup>th</sup>) day after the adoption of this ordinance. Holders of such permits shall be entitled to a pro-rated refund of any fees paid for the same* (8/0). Alderwoman Robinson had concerns regarding the effective date and if the solicitors would be arrested. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0).

UNFINISHED BUSINESS

R-06-77

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1324 DIVISION IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was called and withdrawn at the request of the sponsor, Mayor Hays based on recommendation of Code Enforcement (owner: G P Family Trust).

R-06-78

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 118 EAST 19<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID

STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES, was called and withdrawn at the request of the sponsor, Mayor Hays based on the recommendation of Code Enforcement (owner: Daryl Talley).

R-06-88 (RESOLUTION NO. 6964 - ALDERMAN GIPSON)

A RESOLUTION APPROPRIATING \$20,000.00 FROM THE GENERAL FUND FOR THE CODE ENFORCEMENT DEPARTMENT DEMOLITION AND DEBRIS REMOVAL PROGRAM; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-06-46

AN ORDINANCE ESTABLISHING NEW ELECTRIC RATES FOR CUSTOMERS OF THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and withdrawn at the request of the sponsor, Mayor Hays (see R-06-91).

O-06-49

AN ORDINANCE PROHIBITING ACCESS TO RESIDENTIAL PROPERTY ACROSS CURBS AND SIDEWALKS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time May 8, 2006, was read a second time on May 22, 2006, was called and held at the request of the sponsor, Alderman Gipson.

O-06-57

AN ORDINANCE AUTHORIZING A BARRIER TO BE INSTALLED ON WEST SCENIC DRIVE, APPROXIMATELY 180 FEET WEST OF PARKVIEW DRIVE; NOTING CHANGE ON MASTER STREET PLAN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on May 22, 2006, and a public hearing was held on that date, was read a second time June 12, 2006, was called and held at the request of the sponsor, Alderman Parker.

O-06-59 (see above)

O-06-60 (ORDINANCE NO. 7836 - MAYOR HAYS)

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE "VOEGELE LAKE ANNEXATION" TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE VOEGELE LAKE ANNEXATION A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on June 12, 2006, was read. On the motion of Alderman Gipson and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

## **NEW BUSINESS**

**R-06-89 (RESOLUTION NO. 6965 - MAYOR HAYS)**

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 624 WEST 5<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE, AND FOR OTHER PURPOSES,** was read (owner: Cathy Nunn and Rose F. Corder). Mayor Hays convened a public hearing. There being no one wishing to be heard, the public hearing was adjourned. On the motion of Alderman Berry and seconded by Alderman Bryant, and by consent of all members present, the resolution was unanimously adopted (8/0).

**R-06-90 (RESOLUTION NO. 6966 - MAYOR HAYS)**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A SECOND AMENDMENT TO A REAL ESTATE CONTRACT WITH P & R PROPERTIES; AND FOR OTHER PURPOSES,** was read. Mayor Hays advised this would increase the amount of real estate to provide adequate parking (600 block of Main Street). A motion to adopt was made by Alderman Bryant and seconded by Alderwoman Robinson. Alderman Gipson asked about parking and access to the History Commission building for the purpose of deliveries of exhibits, etc. Mr. Joe Smith, Director of Commerce and Governmental Affairs advised a garden and patio on either side would be available for use. Funds from the sale of the property would be used to construct parking for the Laman Library satellite and History Commission location. Mr. Smith said there would be more developments in the area including two restaurants. Utility lines run along the alley (under and above). Mr. Smith said private parking cannot be reserved on city-owned property. Mr. Suskie agreed. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0). Mayor Hays said future concerns regarding parking in the downtown area will be addressed. North Little Rock has an ongoing opportunity with the ball park and other development in the area.

**R-06-91**

**A RESOLUTION ACCEPTING A BID TO PROVIDE WHOLESALE POWER TO THE CITY OF NORTH LITTLE ROCK; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS; AND FOR OTHER PURPOSES,** was read. Mayor Hays held to the legislation until the end of the agenda.

**R-06-92 (RESOLUTION NO. 6967 - MAYOR HAYS)**

**A RESOLUTION AMENDING THE CITY OF NORTH LITTLE ROCK 2002 ANNUAL ACTION PLAN IN REGARD TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND FOR OTHER PURPOSES,** was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Berry. On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the resolution was amended as follows:: *insert in blanks in Section 1. \$24,460.22 and PENNEBAKER CENTER FOR ADULTS* (8/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). Alderman Berry reminded everyone of the Habitat for Humanity Store in the Pike Plaza Shopping Center. The hours are 9:00 a.m. until 6:00 p.m., Tuesday through Saturday.

R-06-93 (RESOLUTION NO. 6968 - ALDERMAN PARKER)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THE DONATION OF CERTAIN PROPERTY FROM J. D. ASHLEY SR. FAMILY LIMITED PARTNERSHIP AND FEN-ASH ASSOCIATES, INC.; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Parker and seconded by Alderwoman Robinson. Alderman Parker said this property will enhance the beauty and enjoyment of the city for its residents (Part of Lot 1, Ashley-Fendley Addition, part of the NE 1/4 NW 1/4 and part of the NW 1/4 NW 1/4, both in Section 27, Township 2 North, Range 12 West). On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-06-94 (RESOLUTION NO. 6969 - ALDERWOMAN ROBINSON)

A RESOLUTION APPROVING THE INSTALLATION OF SPEED HUMP ON GRIBBLE STREET; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Robinson and seconded by Alderman Berry. The speed hump memorandum was presented to the council June 12, 2006, as a communication. Mayor Hays reviewed procedures regarding speed humps. Mr. Tim Marvin, Traffic Services Director advised this was the only one being recommended at this time. Legislation will be filed regarding a recommendation for "traffic circles" on Kierre Drive. Mayor Hays scheduled a public hearing regarding the same for July 10, 2006, at 7:05 p.m. On the previous motion, and by consent of all members present, with the exception of Aldermen Hight and Witcher, who voted no, the resolution was adopted (6/2).

O-06-61 (ORDINANCE NO. 7837 - MAYOR HAYS)

AN ORDINANCE DESIGNATING AN EASEMENT LOCATED ON PROPERTY OWNED BY THE CITY OF NORTH LITTLE ROCK TO BE AN ACCESS EASEMENT (20' access easement located on the West Line of Lot 8, Block 29, Military Heights Renewal Addition); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Berry and seconded by Alderman Bryant, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present, having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-62 (ORDINANCE NO. 7838 - ALDERMEN PARKER AND BERRY)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED IN AN AREA ALONG MAUMELLE BOULEVARD, NORTHWEST OF THE INTERSECTION OF COUNTS MASSIE AND MAUMELLE BOULEVARD AND SOUTH OF COLLINS INDUSTRIAL DRIVE, IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM THE PRESENT I-2 TO C-3 CLASSIFICATIONS BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant: Mr. Bob Holloway). On the motion of Alderman Berry and seconded by Alderman Parker, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members

present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-63 (ORDINANCE NO. 7839 - ALDERMEN PARKER AND BERRY)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW EXPANSION OF AN EXISTING PLUMBING SUPPLY BUSINESS AND STORAGE IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7322 COCK OF THE WALK DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant: Mr. Troy Wilkens, Jr.). On the motion of Alderman Parker and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Parker and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-06-64 (ORDINANCE NO. 7840 - ALDERMEN PARKER, BERRY AND HIGHT)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW THE DISTRIBUTION OF CHEMICALS IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 5420 NORTHSORE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant: Mr. Jeff Hathaway). Alderman Hight was added as a sponsor at the request of Alderman Berry. On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). The manager of the business advised they are a distributor to customers in the electronics industry, primarily for the aerospace industry.

Mayor Hays declared a five minute recess at 9:05 p.m. The meeting was reconvened at 9:14 p.m.

Mayor Hays recalled R-06-91 (RESOLUTION NO. 6970 - MAYOR HAYS)

A RESOLUTION ACCEPTING A BID TO PROVIDE WHOLESALE POWER TO THE CITY OF NORTH LITTLE ROCK; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS; AND FOR OTHER PURPOSES, was read again. Mayor Hays reviewed previous discussions pertaining to future electric rates and shared transmission costs for an interim power provider. The city negotiated with three companies including NRG (owner of Big Cajun), West Star and Constellation Energy Commodities Group, Inc., ( Constellation is currently providing power to the city until April 2007). The final pricing information/bids were due by 9:00 a.m. this date. However, the only company to submit a bid was Constellation who is currently serving the city. Mayor Hays introduced North Little Rock Electric Department

General Manager, Mr. Joe Gertsch who reviewed the paperwork submitted which included an analysis of purchased power costs and summary of proposal results. Two proposals were included: Bidder 2, Proposal VI was a Gas Price Scenario; and, Bidder 2, Proposal VII was the recommended proposal which included an annual bill, annual net metered energy, net present value, cumulative present value, cumulative PV energy and cumulative levelized PV (cumulative levelized cost is equal to the average uniform cost that would result in the cumulative present value cost through the year indicated - 2008, 2009 and 2010). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was amended as follows: *attach Exhibit "A" POWER SUPPLY AGREEMENT and BALANCING AUTHORITY SERVICES AGREEMENT BY AND BETWEEN CONSTELLATION ENERGY CONTROL AND DISPATCH, LLC, AND THE CITY OF NORTH LITTLE ROCK, ARKANSAS (8/0)*. Mr. Scott Childs, Managing Partner with DaCott Industries, Inc., Bellaire, Texas. A number of things, including fixed pricing and commodities were considered before the recommendation was made. Natural disasters including hurricanes effect natural gas prices. The risk of a variable priced contract is too great for the city. Doing nothing is an option, however, it could be risky. Mr. Paul Arsuaga, Consulting Engineer, R. W. Beck and Company advised the contract would provide energy above that provided by the Hydro Electric Plant and other sources and continue the contract with Constellation Energy Group. Control Area Services would be provided under a separate contract. Alderman Gipson referenced several parts of the contract including a summary on page 9 (item 3.3).

Mayor Hays recessed the meeting at 10:30 p.m. The meeting was reconvened at 10:45 p.m.

Mayor Hays opened the floor for comments from the public. Mr. Greg Yielding said everyone knows prices are increasing but did not agree with proceeding with one bid, this far in advance. Council members should get more information. Mr. Bubba Lloyd said he was concerned since because a lot of information was given to the council tonight for review, and asked them to hold it. Mayor Hays said this is an extremely complicated issue in terms of electric generation, deregulation, and risks are involved. Mr. Jim Ard thanked Mr. Gertsch for his work on this matter and asked Alderman Witcher to share his thoughts since he is in the electric energy business. Mr. Matthew Richard said the effect on residential customers needs to be considered and suggested the city decrease its dependence on the Electric Department as a revenue source. Increased rates will effect everyone, as increased rates will be passed on to the retail customer. Mr. Roy Skinner spoke regarding a rental property he owns located at 1723 Magnolia. Recently, there was a fire at the location. Code Enforcement went out and inspected the property and cited the location for a Housing Code Violation due to inadequate cold and hot water. Mr. Skinner said his tenant, Ms. Janet Scott does not have the gas turned on because she cannot afford it. She sent a letter to the meeting in which she indicated the Code Enforcement Officer, Ms. Felicia McHenry had told her the landlord would have to replace the hot water heater with an electric one. She said she did not think he would do that. Mr. Skinner has been good to her and her children by reducing their rent. Ms. Scott has a hot plate she uses to cook and heat water on for baths, dishwasher and laundry. Her house is clean and so are her children. Mr. Skinner reviewed his letter dated June 21, 2006, in which he asked code for advise on procedures (in writing) to take when the tenant is responsible for providing the gas supply to the address. Mayor Hays asked Mr. Skinner to visit with Mr. Wadley. Mr. Suskie said if the tenant is violating the terms of her lease, then Mr. Skinner could evict her. Electric contract discussion continued after



another brief recess. The contract previously attached is the fixed price contract. On the motion of Alderman Witcher and seconded by Alderman Bryant, and by consent of all members present, the resolution was again amended as follows:: *insert* CONSTELLATION ENERGY COMMODITIES GROUP, INC. *in the blank in Section 1* (8/0). A motion to adopt as amended was made by Alderman Witcher and seconded by Alderman Parker. Alderman Thomas asked about the date when rates would increase for customers. Alderman Gipson said the current rate schedule is from 1982 and needs to be reviewed and revised. He also referred to commercial customer rates and the effect the loss of large commercial customers due to increases would have on jobs in the area. On the previous motion and by consent of the following members Alderman Bryant, Berry, Parker, Hight and Witcher, and with the exception of Aldermen Gipson, Robinson and Thomas who voted no, the resolution was adopted (5/3). (Mr. Nathan Crowell, Vice President, Constellation Energy Commodities Group, Inc. was also present.)

**PUBLIC COMMENTS-----**

See above comments of Mr. Skinner.

There being no further business to come before the Council, and on the motion of Alderman Gipson and seconded by Alderwoman Robinson, and by consent of all members present, the meeting adjourned at 11:35 p.m. (8/0), until the next regular meeting to be held on Monday, July 10, 2006, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS

ATTEST: DIANE WHITBEY, CITY CLERK